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April 27, 2007

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***Filed Electronically***

Marlene H. Dortch, Secretary  
Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

**Re: WT Docket No. 01-108  
RM-11355**

**EX PARTE NOTICE**

Dear Ms. Dortch:

This letter is to memorialize for the record in the above referenced dockets a meeting on April 26, 2007 between Phillip McVey and Steve Shapiro of ADT Security Services, Inc., Christopher Spear of Honeywell, and John Prendergast of Blooston, Mordkofsky, Dickens, Duffy & Prendergast (on behalf of the Alarm Industry Communications Committee), and Commissioner Jonathan Adelstein and Barry Ohlson of the Commission. During this meeting, the attendees discussed the matters reflected in the attached *ex parte* presentation, which is provided for the record in the above proceeding. The attached presentation provides a timeline showing that the alarm industry acted with due diligence in acting on the AMPS sunset order, and that several obstacles beyond the control of the alarm industry have prevented further progress on the AMPS transition, including problems associated with the ability of one of the largest existing cellular networks to accommodate digital alarm units. The presentation also includes a summary of the facts apparent from the record in the above-referenced proceedings, showing that the public safety community strongly supports an extension of the AMPS sunset date, and that safety concerns far outweigh any cost savings alleged by the cellular industry.

Please direct any questions concerning the above matter to the undersigned at (202) 828-5540.

Sincerely,

A handwritten signature in black ink, appearing to read "John A. Prendergast", written in a cursive style.

John A. Prendergast

JAP/mlb

cc: FCC Commissioners  
Erika Olsen  
Angela Giancarlo  
Bruce Gottlieb  
Barry Ohlson  
Aaron Goldberger  
Fred Campbell  
Roger Noel  
Linda Chang  
Richard Arsenault

## **FACTS ESTABLISHED BY THE AMPS SUNSET RECORD**

### **1. The Proposed Extension Will Not Impact The Rollout of Digital Services in Rural America**

- a. The alarm industry has proposed an expansive exemption for rural cellular operations, and many MSA operations, making compliance with any extension unnecessary for most small and rural cellular systems. AICC February 6, 2007 Reply Comments at pp. 35-36.
- b. NTCA (the only rural organization to comment) and the Rural Carriers indicated that a rural exemption would be a way to address their objections. NTCA February 6, 2007 reply comments at p. 3; Rural Carriers comments at p. 5.
- c. Rural Carriers objecting to an extension will qualify for proposed exemption, since only one serves **AMPS** customers. Rural Carriers comments at p. 4.

### **2. The Proposed Extension Will Not Impact The Implementation of E911**

- a. The E911 network is already in place. The existing AMPS network does not prevent digital conversion of customers.
- b. The cellular industry has confirmed that AMPS customers are rapidly converting to digital. See, e.g., February 2007 AMPS transition report of AT&T/Cingular at p. 11 ; February 2007 AMPS transition report of Verizon at pp. 3-4 (Two thirds of AMPS phone users went digital in 2006, leaving only 0.5% still **AMPS** ).
- c. Some of the remaining AMPS customers are rural users that need greater range. See January 19, 2007 Comments of Rural Carriers at p. 4. It is safer to have a phone work over a longer distance than to have no ability to place a call in event of emergency.
- d. Some rural cellular carriers may maintain analog as a result.
- e. The cellular industry can mail any analog phone user a digital replacement. The alarm industry request does not prevent the cellular industry from removing analog handsets. A service truck roll in not required for personal cell phones.

### **3. If No Extension, A Majority Of Systems With Analog Radios Will Start “Chirping”, Leading To Hundreds Of Thousands Of Complaints**

- a. Many of the existing AMPS radios will go into “trouble” mode when **AMPS** service ends, emitting a loud chirping noise every time the system is armed/disarmed. Several systems may chirp *continuously* until a service

technician removes the analog radio. AICC January 19,2007 Comments at p. 17.

#### **4. The Alarm Industry Exercised Diligence, But Was Harmed By Equipment Availability Issues**

- a. ADT issued an RFP for replacement digital equipment in 2002. However, the first replacement GSM radios were not available until Spring 2006, despite manufacturers' best efforts. As recently as 4<sup>th</sup> Q 2006, both Honeywell and Telular equipment was under recall.
- b. CDMA radios are still under development.
- c. Cellular carriers already had digital handsets when AMPS sunset was adopted. Alarm providers had to develop replacement equipment from scratch.
- d. Other alternatives were not viable. For example, Numerex "digital" radios cited by AT&T are *analog*; "Cellular Alarm Technology, Ltd." cited by cellular comments never produced digital replacement equipment. However, claimed digital status has caused confusion among alarm providers as to whether they are in compliance.
- e. Digital coverage still does not duplicate AMPS coverage.

#### **5. Ongoing Issues With Cellular Networks Have Slowed AMPS Replacement**

- a. AT&T/Cingular did not complete merger of incompatible networks until Fall 2006 (See Cingular October 3,2006 press release, *Attachment A*). Any conversions of AMPS radios on AT&T network before then would have required a second truck roll this year.
- b. While working with the new AT&T/Cingular GSM network in late 2006, ADT experienced significant network issues that were not resolved until January 26,2007, 12 months from the AMPS sunset. This delayed the start of a major analog for digital radio exchange program. AICC Reply Comments p. 20.
- c. The alarm industry cannot be held accountable for delays caused by the cellular industry.

#### **6. Two Million Motorists Will Benefit From An Extension**

- a. March 4,2007: Chicago Tribune reports that approximately two million GM OnStar AMPS units cannot be upgraded, will leave vehicles without OnStar service in Feb. 2008: "The company would not say how many of its subscribers have analog-only or upgradeable equipment. But as many as half of OnStar's customers, or 2 million, drive cars that cannot be upgraded,

according to Frank Viquez, an industry analyst at ABI Research.” (“*Tech Change Strands Long-Time OnStar Users*” by Ken Belson).

- b. See, e.g., March 11, 2007 email complaint from motorist Don Alkema (*Attachment B*).

## **7. Customer Conversion Process Is Proving Difficult**

- a. Customer confusion over digital TV conversion
- b. Slow customer response due to confusion.
- c. 25% of appointments are no shows

## **8. Safety Considerations Render Primary v. Secondary Alarm Status Meaningless**

- a. Phone lines are cut by intruders, abusers, terrorists.
- b. Snow, ice, wind, fire all damage phone lines, cause outages when emergency signal must be sent.
- c. Carbon monoxide detection: When lines are down, people use generators, kerosene lamps, candles.

## **9. Domestic Violence Victims Will Suffer If The Sunset Is Not Extended**

- a. 177 communities now use AWARE? program, winning the 2007 Allied Professional Award, given by the U.S. Department of Justice. *See Attachment C*.
- b. Countless domestic abuse victims subscribe *to* alarm service outside of AWARE? program.
- c. Ability *to* summon help with press of one button saves lives that cell phones may not. Cellular and alarm panic buttons are complementary tools in protecting victims. *See ADT April 9, 2007 ex parte letter (Attachment D)*.

## **10. FCC Mandated Transition of Emergency-Only Phones, But Cellular Has No Idea How Many People Are Using AMPS Phones For Emergency Only Calls**

- a. 911-only phones are still being sold to the public. AT&T February 26, 2007 AMPS Transition Report at p. 6 n. 14.
- b. Not even all of the handsets donated by cellular carriers for 911-only have been replaced by digital. AT&T AMPS Transition Report at p. 6 (“AT&T expects that many” of the donated phones were digital); Verizon **AMPS** Transition Report at p. 5 (Verizon has donated 40,000 phones since 2001, but did not make sure donated phones were digital until 2005 – two years

after AMPS sunset order. No info given on efforts to replace AMPS phones donated in 2001-2004.)

- c. Cellular carriers do not have any idea how many persons use non-subscribed AMPS phones for emergency only purposes: “Verizon Wireless also does not maintain data specific to emergency-only AMPS users.” Verizon AMPS Transition Report at p. 5.
- d. **How can cellular carriers claim that AMPS sunset conditions have been satisfied when the transition of emergency-only AMPS phone users was a clear cut condition?**

#### **11. The Public Safety Community Overwhelmingly Supports An Extension**

- a. Record shows expressions of support for an extension from virtually every major public safety entity in the country:
  - i. Association of Public Safety Communications Officials (APCO)
  - ii. Fraternal Order of Police
  - iii. International Association of Fire Chiefs (IAFC)
  - iv. National Safety Council
  - v. National Crime Prevention Council
  - vi. Home Safety Council
  - vii. Several women’s shelters, law enforcement departments
- b. **Congressional Fire Services Institute has passed a March 30,2007 Joint Resolution urging FCC to grant extension. This organization exists to advise the Congressional Fire Services Caucus, and is made up of the 44 most important public safety entities in the country. See Attachment E.**

#### **12. In The Final Analysis, Safety Outweighs Cost Savings**

- a. The cellular industry argues cost savings as the primary reason to stick to the current AMPS sunset.
  - i. Claim of \$72 million annual cost savings for “shed and tower space” is suspect. (Verizon April 10,2007 ex parte letter). While cellular carriers can remove AMPS transmitters and antennas, some amount of tower and shed space will presumably be needed for newly activated digital spectrum.
- b. Alarm industry and its customers will spend approaching One Billion Dollars to accommodate the cellular industry without compensation, must be given time to transition safely. (As noted in AICC’s January 19,2007 Comments at p. 15, the installation cost per radio will range from \$450 to \$750. And the replacement radios will cost between \$150 and \$300. There will back office/organizational costs on top of that, all of which will be multiplied by one million radios).

- c. Cellular's answer: Alarm companies should stop accepting new customers?!  
Cellular carriers can hold their alleged capacity problem in check for the extension period if they stop accepting new customers.
- d. Alarm industry and others have shown that, unless the sunset is extended, many lives will be put at risk. This risk extends to:
  - i. Domestic violence victims
  - ii. Families
  - iii. Airports
  - iv. Government offices and facilities
  - v. Courthouses
  - vi. Other Homeland Security sensitive facilities
- e. **In the end, safety must prevail over cost considerations. Potential safety costs far outweigh any cellular savings, especially in the wake of overwhelming public safety support for an extension.**

**ATTACHMENT A**

**Cingular/AT&T October 3,2006 Announcement**





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## Cingular Completes National GSM Network Integration

**Better coverage, fewest dropped calls from on-time completion**

### Search

CHICAGO, Oct. 3 /PRNewswire/ -- In 1983, a small crowd gathered in Chicago to launch the nation's first citywide cellular service. Today, 23 years later, another seminal event in wireless history is taking place here - the completion of Cingular's GSM (Global System for Mobile Communications) network integration.

The network integration, which began shortly after the merger of Cingular Wireless and AT&T Wireless in October 2004, has dramatically improved call quality for Cingular customers throughout the nation. Cingular completed its GSM network integration by reusing existing assets, working closely with vendors, and minimizing site visits by technicians.

"It seems appropriate that the city where wireless began is the completion point for our network integration," said Ralph de la Vega, chief operating officer for Cingular. "Offering a superior network experience, exclusive products and services, and competitive pricing helped Cingular produce continuously improving results, including record profits, some of the industry's highest net customer additions and extremely low churn."

"The integrated network has already paid dividends and provides a foundation for continued expansion," said Ed Reynolds, president of Network Services for Cingular. "The job of building and enhancing the network will never be fully complete, not if we are going to continue exceeding our customers' expectations. It's the nature of our business."

The result of the integration currently gives customers access to nearly 47,000 cell sites throughout the country. The network integration was one of several initiatives the company funded as part of its \$13 billion 2005/2006 capital investment to enhance network quality and coverage.

Throughout the integration process, hundreds of technicians from third-party testing companies, infrastructure vendors, and Cingular's own employees used specially designed vehicles to travel

throughout the country testing the signal strength and coverage of the GSM network. Even before the network was fully integrated, data from these drive tests showed that Cingular customers could expect the fewest dropped calls of any wireless company.

Along with funding integration, Cingular is currently deploying its 3G UMTS/HSDPA (Universal Mobile Telephone System/High Speed Downlink Packet Access) network throughout the country. The 3G service, which offers mobile wireless broadband connections averaging 400-700 kilobits per second (Kbps), is available in 105 markets (populations of 100 thousand or more) in and around 44 major metropolitan cities. Customers can use the 3G connections to access e-mail and information services or watch streaming video clips from some of their favorite entertainment outlets using Cingular Video.

"With integration complete, we're now focused on quickly offering 3G services in all of the top metropolitan markets and surrounding areas," said Reynolds. "We want our customers to have a similar broadband experience whether they're in their homes, at work, or at the park. Staying connected to information is great - getting it anytime, anywhere and at lightening-fast speeds is priceless."

The UMTS/HSDPA network complements and supercharges Cingular's EDGE (Enhanced Data Rate for Global Evolution) network, available to more than 270 million people living and working in more than 13,000 cities and towns across the United States. Unlike some competitive services, all 3G services and features, such as Cingular Video, are also available on the company's EDGE network.

#### About Cingular Wireless

Cingular Wireless is the largest wireless carrier in the United States, serving 57.3 million customers. Cingular, a joint venture between AT&T Inc. (NYSE: T) and BellSouth Corporation (NYSE: BLS), has the largest digital voice and data network in the nation -- the ALLOVERA® network -- and the largest mobile-to-mobile community of any national wireless carrier. Cingular is a leader in third generation wireless technology. Its 3G network is the first widely available service in the world to use HSDPA (High Speed Downlink Packet Access) technology. Cingular is the only U.S. wireless carrier to offer RolloverA®, the wireless plan that lets customers keep their unused monthly minutes. Details of the company are available at <http://www.cingular.com/>. Get Cingular Wireless press releases emailed to you automatically. Sign up at <http://cingular.mediaroom.com/>.

SOURCE: Cingular Wireless

CONTACT: Ritch Biasi of Cingular Wireless, +1-973-637-9449, or wireless,  
+1-908-612-1760, or [ritch.biasi@cingular.com](mailto:ritch.biasi@cingular.com)

Web site: <http://www.cingular.com/>  
<http://cingular.mediaroom.com/>

## **ATTACHMENT B**

**Motorist Don Alkema Complaint re impact of AMPS sunset**

EX PARTE OR LATE FILED

RM 11355

Keesha Lomax

Subject: FW: AMPS Sunset Ruling/OnStar

ORIGINAL

FILED/ACCEPTED

From: Don Alkema [mailto:dond.engr@sbcglobal.net]  
Sent: Sun 3/11/2007 9:25 PM  
To: Richard Arsenault  
Subject: AMPS Sunset Ruling

MAR 16 2007

Federal Communications Commission  
Office of the Secretary

Dear Richard,

On 12 February 2007, we received a letter from OnStar Cooperation stating that the phone and emergency services in our 2002 Chevrolet Avalanche would be discontinued after 31 December 2007. Since we were unaware of the AMPS sunset ruling, the letter informing us that the OnStar safety features of our vehicle would no longer be operative after 31 December 2007 both surprised and angered us. We have been an active user of the OnStar network since we procured it with our new vehicle. The hands free cell phone usage has been very convenient as we have done a great deal of long distance driving in this vehicle; however, more importantly it has given us peace of mind knowing that if we were ever were in a car accident that OnStar services would immediately activate and send 911 services to our exact location.

Since learning of the **AMPS** sunset ruling, I have been researching information on-line about it. I came across your name in association with information stating that a petition has been filed requesting that AMPS services be extended to 2010. I hope that you do not mind me writing you, but I wanted you to hear at least one consumer's opinion. There must be many more consumers who like my family have almost new cars equipped with OnStar safety features that will no longer be operative in about 9 months. We'd like to see the petition approved and the **AMPS** service extended. Handheld cell phone users can relatively easily buy or trade for a new CDMA supported phone, but those of us with **AMPS** only systems built into our cars can't get an upgrade. In the OnStar letter, we were told that we'd have to purchase a 2006 or 2007 OnStar supported new car in order to continue services. We had expected **our** current vehicle to last much longer than this and are not able to consider buying another vehicle at this time. If you have information about any other options available to us OnStar users, we would be very interested in knowing what they are.

Very Respectfully  
Don Alkema

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3/16/2007

## **ATTACHMENT C**

**Press Release re Department of Justice Award to ADT's AWARE Program**

FOR IMMEDIATE RELEASE

Contact:  
Ann Lindstrom  
ADT Security Services, Inc.  
(561) 988-3258  
[alindstrom@adt.com](mailto:alindstrom@adt.com)

**ADT AWARE® PROGRAM HONORED BY U.S DEPARTMENT OF JUSTICE**

*Life Saving Domestic Violence Prevention Program Recognized During National Crime Victims' Rights Week*

BOCA RATON, Fla. -- APRIL 24, 2007 – ADT Security Services, Inc., a unit of Tyco Fire & Security announced today it has received the 2007 National Crime Victims' Rights Week (NCVRW) Award for the ADT AWARE® program. ADT has worked to assist domestic violence victims through AWARE (Abused Women's Active Response Emergency) since 1992. The program is credited with helping save 31 lives.

ADT received the Allied Professional Award, given by the Office of Victims of Crime, U.S. Department of Justice and presented by the U.S. Attorney General. The NCVRW Award recognizes individuals from a specific discipline outside the victim assistance field for their service to victims and contribution to the crime victim's arena.

"Everyday ADT's systems, services and team members help keep Americans safe in their homes and businesses. Providing support to survivors of domestic abuse is one of the ways ADT is giving back to the communities we serve. Our technology and 24-hour around-the-clock monitoring can offer peace of mind to individuals and their families as they break the cycle of domestic violence," said John Koch, President, ADT Security Services.

"ADT is honored to be chosen as a recipient of this prestigious award. It is our hope that this will illuminate the serious issues victims face on a daily basis, and possibly help lower the incidents of domestic violence." Koch added.

For 15 years, the AWARE Program has proven an effective tool for communities in their efforts to prevent and prosecute domestic violence cases. At a local level, ADT works with law enforcement and social service agencies to administer the program. The local community agencies assess the needs of potential participants assuring they meet the following three basic criteria: the victim must be in imminent danger of attack, have a restraining order *or* other active order **of** protection against the abuser, and must be willing to prosecute and testify against the batterer in court if the batterer is apprehended through the use of the ADT system.

After those who meet the criteria are placed in the program, ADT installs and monitors, at no charge, security systems in each of their homes and provides them with emergency necklace pendants for as long as the need exists. The pendants can send a silent alarm, when activated, to ADT's customer monitoring center.

If a person involved in the program feels in imminent danger of attack, he or she presses either the pendant or the emergency button on the security system panel mounted in their home. ADT operators can then alert the appropriate law enforcement agency that an AWARE call has been received. Officers will then be dispatched to the victim's residence on a priority basis.

Although the AWARE Program is national in scope, ADT was specifically honored for its work in West Virginia and was nominated by Charles T. Miller, U.S. Attorney, Southern District of West Virginia. Recently, a West Virginia woman was rescued from her abuser through the AWARE Program. The rescued victim had a court-issued protective order and was in the process of divorcing her husband. The victim used her ADT emergency necklace pendant to summon law enforcement after being threatened at knifepoint by her spouse who was out of prison on a criminal bond for previously attempting to strangle her.

The AWARE Program is active in 177 U.S. communities and, through its sister program, DVERS (Domestic Violence Emergency Response System) the program is offered in 41 locations in Canada.

Celebrating its 132<sup>nd</sup> anniversary, ADT Security Services, Inc., a unit of Tyco Fire & Security, is the largest provider of electronic security services to nearly six million

commercial, government and residential customers throughout North America. ADT's total security solutions include intrusion, fire protection, closed circuit television, access control, critical condition monitoring, electronic article surveillance, radio frequency identification and integrated systems. ADT's web site address is [www.adt.com](http://www.adt.com).

# # #



**ATTACHMENT D**

**ADT Ex Parte Letter re Domestic Abuse Victims' Need for Alarm Radios**



Fire &  
Security

**ADT**

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Dear Ms. Dortch:

April, 9, 2007

Please consider this letter correction and clarification to certain statements and assumptions made by the director of the Safety Net: the National Safe & Strategic Technology Project at NNEDV regarding the use of alarm systems to assist survivors of domestic violence. This information relates to the potential impact the analog sunset would have on domestic violence victims who are using alarm systems.

The opinion expressed by the Safety Net project's director in her March 5, 2007 letter to you should be carefully weighed with the knowledge that this project receives its **primary** funding from the wireless industry.

The statement that personal alarm systems were vital to victims in years past prior to widespread cell phone usage is erroneous. In fact, domestic violence advocates agree an arsenal of tools is needed to successfully wage war against domestic violence, including alarm systems.

In truth, domestic violence shelters and survivors across the country rely on electronic security systems as much today as they have in year's past. This can be said with certainty, as ADT has offered the AWARE® (Abused Women's Active Response Emergency) Program nationwide since 1992. Through this program we provide free electronic home security systems, emergency (hold up) necklace pendants and system monitoring to victims of domestic violence. As noted in ADT's October 4, 2006 comments, the AWARE program has been established in no less than 170 communities, including but not limited to the major metropolitan areas of Atlanta, Denver, Detroit, New York, San Francisco, Seattle, St. Louis and Pittsburgh, as well as multitudes of smaller cities and towns throughout the country. We have seen no decrease in the number of US communities requesting the program over the years.

For more than fifteen years, through the AWARE Program, ADT has worked closely with law enforcement, prosecutor's offices and social service organizations, including shelters and victim witness programs. Never have any of these professionals referred to the components of this life-saving service as obsolete.

The issue at hand is not whether alarm systems are being used to help keep domestic violence victims safe from their abusers, but rather, whether those victims might be placed in harms way if the analog cellular systems in place are removed or become inoperable before appropriate digital technology is available to take their place.

Ms. Marlene H. Dortch  
Page Two

The analog alarm devices used by AWARE participants help assure the victim's safety should an abuser cut the phone line or take away their cellular phone.

An advantage of the ADT AWARE program over the use of cell phones exclusively is that AWARE clients are given a priority response from law enforcement. Also, it is not necessary to dial a phone and wait for a response, while under attack. The press of a single button sends an immediate silent alarm signal. Further, it is not necessary for the victim to explain their circumstances or identify their whereabouts, as it is with a cell phone. Recently, a West Virginia woman was rescued from her abuser through the AWARE Program. The victim's ex-husband had a knife to her throat, rendering her incapable of speaking. Without the ADT system making help available with a push of the button on her alarm pendant, she would most likely not be alive today. She could not have used a cell phone to rescue her from her abuser.

Thousands of victims of serious domestic violence have benefited from the AWARE Program. Tens of thousands of other victims who subscribe to alarm services without formally participating in the AWARE program have benefited as well. Each such victim is dependant on their ADT alarm systems for safety and peace of mind. It is for these victims as well that we are concerned about the analog sunset deadline.

We appreciate your attention to this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Ann Lindström".

Ann Lindström  
Director, Corporate Communications  
ADT Security Services, Inc.

## **ATTACHMENT E**

### **Congressional Fire Services Institute Resolution Favoring AMPS Sunset Extension**

***Resolution to support an extension of the cellular analog “AMPS” sunset date***

***Offered by:  
Simplex Grinnell***

Whereas, analog cellular or “AMPS” alarm radios are utilized to summon help in more than one million alarm systems in the United States and;

Whereas, hundreds of thousands of family households and individuals including senior citizens, disabled Americans, victims of domestic violence and other vulnerable populations rely on AMPS alarm radios to report fires, burglaries, medical emergencies and dangerous carbon monoxide levels and;

Whereas, thousands of commercial businesses and hundreds of critical infrastructures such as airports, Departments of Defense and Homeland Security facilities, federal courthouses, public ports and dams rely on AMPS alarm radios to send such alarm signals in a mode that is less vulnerable to sabotage than other communications channels, thereby furthering homeland security, and;

Whereas for these customers and others, the termination of AMPS service would result in a loss of protection from fire, burglary, medical and other emergencies because their alarm signals would no longer reach the alarm service provider until it is able to replace the analog radio with a digital alarm unit and;

Whereas, the Federal Communications Commission has scheduled the termination of the requirement that cellular carriers provide AMPS service for February 18, 2008, with the understanding that this date may have to be extended under certain circumstances.

Whereas, digital alarm units have only recently been produced in significant quantities so that a meaningful analog to digital “swap out” program could be initiated by alarm service providers and;

Whereas, according to recent estimates, a complete “swap out” prior to the February 18, 2008 sunset date is not feasible given the time needed to replace more than a million radios and;

Whereas, there are still several areas throughout the country where adequate digital service is not available, thus thousands of customers will be left without fire protection services if the sunset date is not extended to allow for more complete digital coverage and;

Whereas, if AMPS is terminated before the digital replacement radios can be installed, many AMPS alarm radios will cause their related alarm systems to enter into “failure” mode, creating loud alarm tones that will continue until the radio is replaced or disabled; and

Whereas, the Federal Communications Commission has an obligation to consider the legitimate and pressing public safety concerns caused by the impending AMPS sunset date and;

Whereas, the Federal Communication Commission has the statutory authority and considerable precedent to support an extension of the AMPS sunset date and;

Whereas, providing a reasonable extension of the AMPS sunset date to allow for a complete “swap out” of analog alarm radios with digital alarm radios will protect the safety of individuals, businesses, government and critical infrastructure;

Now, let it therefore be resolved that the Congressional Fire Service Institute National Advisory Committee believes that the Federal Communications Commission should grant a two year extension to the AMPS sunset date and;

Be it furthermore resolved, that the Congressional Fire Services Institute National Advisory Committee urges the Federal Communications Commission to grant this deadline extension immediately to clarify the timing, scope and scale of how the alarm industry will marshal the resources needed for best faith efforts to ensure that all customers are protected.

## **Congressional Fire Service Institute's Advisory Committee Organizations**

American Fire Sprinkler Association

Assn. of Public Safety Communications Officials

Board of Certified Fire Protection Specialists

Building & Fire Safety Research Laboratory

Defense Fire Protection Association

Federation of Fire Chaplains

Fire and Emergency Manufacturers & Services Association

Fire Apparatus Manufacturers Association

Fire Chief Magazine

Fire Department Safety Officers Association

Fire Engineering Magazine

Firehouse Magazine

Foundation for American Firefighters

The George Washington University Center for Emergency Preparedness

Home Safety Council

Insurance Committee for Arson Control

International Association of Arson Investigators

International Association of Black Professional Firefighters

International Association of Fire Chiefs

International Association of Fire Fighters

International Code Council

International Fire Buff Associates

International Fire Marshals Association

International Fire Service Training Association

International Municipal Signal Association

International Society of Fire Service Instructors

JEMS Communications

National Association of Emergency Medical Technicians

National Association of Hispanic Firefighters

National Association of State Fire Marshals

National Board on Fire Service Professional Qualifications

National Emergency Equipment Dealers Assn

National Emergency Number Association

National Fallen Firefighters Foundation

National Fire Protection Association

National Fire Sprinkler Association

National Society *of* Executive Fire Officers

National Volunteer Fire Council

North American Fire Training Directors

Operation Respond Institute

SimplexGrinnell

The Society *of* Fire Protection Engineers

Underwriters Laboratories

VFIS



## **AMPS SUNSET DIGITAL CONVERSION**

**ISSUE BACKGROUND:** The Federal Communications Commission has ordered that cellular carriers can shut down their analog cellular service, which has served cell phones, alarm radio devices, OnStar devices and other safety-related devices by February 2008. As the largest service provider of electronic security throughout North America, protecting people and property is the cornerstone of the alarm industry. With approximately one million alarm industry customers utilizing alarm radio devices, the improbability of meeting the February 2008 AMPS (ADVANCED MOBILE PHONE SERVICES) sunset date compromises our ability to help protect our customers and puts individuals, businesses and communities at unnecessary risk.

**SOLUTION:** The FCC should extend the AMPS sunset for two years to ensure proper time for any conversions from analog to digital and to maintain public safety. The FCC's decision to extend the sunset date must be made swiftly so the alarm industry can appropriately plan for the conversions and so customers have the piece of mind that their services will not be interrupted.

### ***Digital conversion by 2008 is a logistical improbability***

- Manufacturers of digital cellular alarm radios have only been able to make replacement radios available within the past year.
- The advancement of Voice over Internet Protocol ("VoIP") and other digital phone technologies has doubled the demand for digital alarm radios. At least 10,000 digital units are being installed for new customers each month.
- The alarm industry is able to keep up with demand for these new installations; however, the supply of radios for replacement purposes is only now ramping up, and there is not enough time to install both new devices and convert the existing analog units (approx. 62,500 per month), which would be required to meet the current AMPS sunset date.
- As of October 2006, at 2.5 hours per installation and a 25% call-back adder, estimated conversion times are over 195,000 hours/month or equivalent to needing 4,875 additional people working 40 hours per week for 16 months. Time is even shorter now.

### ***Premature AMPS shutdown puts Government and Commercial interests at risk***

- Analog cellular alarm radios are critical to the monitoring services of many top government and commercial installations, such as the National Guard Reserve Centers, airports, banks and manufacturing facilities.
- In many cases, the analog radio is the ONLY link to help; in other cases, there is a wireline connection, but this can be cut by intruders, storms, etc.

### ***Rushed conversion threatens vulnerable populations***

- ADT is using analog cellular devices to help protect battered women, one of the groups the FCC recognized as requiring access to analog service until a replacement technology can be deployed.
- The National ADT AWARE® (Abused Woman's Active Response Emergency) program helps to protect people from abusive individuals.
- ADT AWARE® victims are provided with an electronic, emergency pendant that sends a priority signal at the press of a button. The alarm's cellular communication device offers redundancy in case the phone line is cut.
- The AWARE® program, which is offered at no cost, uses ADT analog cellular devices. Many other abuse victims seek protection outside of the AWARE program by subscribing to alarm service.

***Congress should encourage the FCC to immediately extend the AMPS sunset date to ensure that hundreds of thousands of Americans, businesses and critical infrastructure facilities are not left without vital security services.***

## ALARM INDUSTRY ACTION

2002-2005		2006	
<b>AUGUST 13, 2002:</b> ADT issues RFP asking manufacturers to begin making digital replacement equipment.	<b>2004:</b> AICC and NBFAA become aware of AMPS impact. Meetings begin to help members develop compliance strategies, dialogue with relevant alarm device manufacturers.	<b>FEBRUARY 21, 2006:</b> AICC files comments with FCC highlighting that approximately one million AMPS alarm devices are in operation. AICC recommends two-year extension of AMPS sunset date.	<b>OCTOBER 4, 2006:</b> with a premature AMPS shutdown.
<b>SEPTEMBER 24, 2002:</b> FCC adopts Analog Cellular ("AMPS") Sunset Order. However, effective date of order is delayed.	<b>2005:</b> Alarm industry opens dialogue with cellular carriers about voluntary continuation of AMPS service, geographic shutdown of AMPS.	<b>OCTOBER 3, 2006:</b> Cingular/AT&T complete national GSM network integration.  Replacement installations on the AT&T alarm network would have required a second service tech visit to again service the alarm device if installations had started on these networks prior to this date.	<b>OCTOBER 31, 2006:</b> ADT and AICC meet with FCC Wireless Telecom Bureau and Commissioners Staff to highlight status of digital transition. Including availability of product by only one manufacturer and the industry needs more products and time to change out approximately one-million radios.  FCC instructs ADT and AICC to file Petition for Rule Making so that commissioners may consider this request.
<b>FEBRUARY 18, 2003:</b> FCC's AMPS Sunset Order becomes effective. Equipment manufacturers begin to develop digital replacements for AMPS alarm devices.			
<b>2003-2004:</b> ADT and other alarm industry companies have ongoing meetings with major alarm manufacturers to pursue digital replacement radios.			

## IMPEDIMENTS TO CONVERSION

2002-2005		2006	
<b>FEBRUARY 18, 2003:</b> Despite FCC directive, cellular industry does no outreach to many alarm service providers; complicated by third party service providers.	<b>2005:</b> Honeywell product intended to be available in 2005, is delayed until late 2006.  Cellular industry provides no firm answers to proposed alternatives.	<b>FEBRUARY 21, 2006:</b> No commitment is made by cellular industry to voluntarily extend AMPS service and suitable wide-scale alternative are non-existent.	<b>APRIL 2006:</b> ADT receives production models of industry's first digital (GSM) units, from Telular.  ADT begins installation and learns of many areas where GSM is inferior to AMPS coverage. ADT experiences demand outstripping supply for new installations.
Due to lack of cellular industry outreach some alarm companies mistakenly believe that their equipment is compliant.  Alarm devices that are analog radios with digital components will malfunction when AMPS is shut down.	Alarm industry seeks to use Mobitex digital data service but Mobitex is acquired by Sprint and will be shut down in 2008.  ADT considers use of the Nextel service but Sprint merges with Nextel and Sprint ends IDEN service.		

2007

**NOVEMBER 30, 2006:**

AICC and ADT file a Joint Petition for Rule Making with the FCC, formally requesting the AMPS deadline be extended to February 18, 2010.

Numerous public safety associations file letters of support for AMPS extension including:

- Association of Public-Safety Communications Officials, Fraternal Order of Police,
- International Association of Fire Chiefs,
- National Safety Council,
- National Crime Prevention Council, Home Safety Council,
- and various women's shelters and law enforcement departments.

**FEBRUARY 2006-2007:**

Alarm industry continues to beseech the cellular industry to negotiate a mutually agreeable plan that will not result in a loss of protection for customers.

**FEBRUARY 6, 2007:**

AICC files comments that alarm companies and consumers will spend roughly more than 750 **million dollars** to replace all AMPS radios, without compensation from cellular carriers, and that their request for more time to transition is reasonable.

AICC points out that many existing AMPS alarm devices will go into "trouble" mode, emitting a chirping alarm until the device is replaced by a trained technician.

AICC reports that some homes with AMPS alarm devices send alarm signals via telephone lines that can be rendered useless if damaged by weather or an intruder.

**MARCH 7, 2007:**

Chicago Tribune reports that approximately 2 million vehicles have AMPS-based OnStar devices that cannot be upgraded and will fail upon AMPS shutdown, leaving drivers helpless if an accident or emergency occurs.

**MARCH 30, 2007:**

The Congressional Fire Services Institute passes a resolution urging the FCC to grant a two year extension of the AMPS sunset date.

2007

**NOVEMBER 30, 2006:**

Alarm carriers trying to communicate to customers about AMPS sunset find many confusing it with the digital television transition which is set for 2009.

**Q4, 2006:**

Two suppliers of digital alarm radios experience product problems and have recalls.

**FEBRUARY 2006-2007:**

Cellular carriers fail to negotiate with the alarm industry. Verizon and AT&T file comments with FCC indicating that they intend to shut down AMPS service shortly thereafter February 18, 2008.

**JANUARY 2007:**

ADT encounters network readiness problems when activating digital replacement radios on the nationwide GSM network. AMPS replacement efforts delayed.

## SETTING THE RECORD STRAIGHT ON THE AMPS SUNSET DIGITAL CONVERSION

**MYTH 1:** The alarm industry has had enough time to replace all of its analog alarm radios. The industry has simply not moved quickly enough to convert.

**REALITY:** it has only been within the past year that mass produced digital alarm replacement equipment has become available for installation.

**REALITY:** As of October 2006, an estimated one million wireless alarm devices need to be replaced at a rate of 62,500 analog units each month, equivalent to 4,875 additional people working 40 hours per week for 16 months.

**REALITY:** At least 10,000 digital units are being installed for NEW customers each month; there is not enough supply, technicians or time, to both install new devices and convert the existing analog units

**REALITY:** In many geographic areas GSM digital service is NOT yet available or the signal strength is not strong enough for life safety equipment. Alarm companies cannot install digital radios in these areas.

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**MYTH 2:** It is more important to allow the cellular industry to convert **AMPS** to digital cellular spectrum to handle new features and capabilities on our cell phones. Don't cell phones allow **us to** call for help?

**REALITY:** Cell phone customers have the ability to upgrade to a digital phone by simply walking into a retail store.

**REALITY:** Cellular Operators do not disclose any new features or capabilities that will become available with the AMPS shutdown.

**REALITY:** Digital cellular is already up and running and alarm customers cannot upgrade to a digital alarm device without having a specially trained technician come to their home and install the new digital device.

**REALITY:** Many government installations and critical infrastructure facilities currently rely on analog technology for security. It is not in our nation's interest to jeopardize national security for better cell phone features.

**REALITY:** Senior citizens, people with medical conditions and victims of domestic abuse count on "panic buttons," utilizing AMPS technology, so they can summon help in an emergency with a touch of a button.

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**MYTH 3:** The alarm industry can simply replace **AMPS** radios with some of the non-cellular wireless alarm devices that already exist.

**REALITY:** Non-cellular alarms are not manufactured in quantities necessary to replace AMPS radios.

**REALITY:** Use of these radios would require replacement of the customer devices in addition to the construction of a supporting network following an FCC approval process.

**REALITY:** There is simply not enough time, technicians and vehicles available to replace more than a million AMPS radios in less than 12 months even if there were enough non-cellular radios available.

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**MYTH 4:** The alarm industry can simply replace **AMPS** radios that are the "primary" link to help by February **2008**, and replace "secondary" **AMPS** radios after the deadline.

**REALITY:** This is a non-workable solution that would leave many customers without security services because often the "secondary" AMPS radio link is the only way to summon help in an emergency. For example: **1)** Intruders often cut wirelines before breaking in, **2)** wireline links can be damaged by ice, snow, and wind, **3)** fire safety codes and insurance policies often require two alternative alarm signaling paths, **4)** VoIP phone service customers may find their phone service (and thus their wireline link to summon help) disrupted by power failures, viruses, or internet problems. Additionally, once the AMPS network is down, many alarm system devices will beep until a service technician can visit the location and replace the radio.

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**MYTH 5:** The alarm industry is simply looking to dump its problem on the cellular industry.

**REALITY:** The alarm industry is committed to a comprehensive conversion; we need more time to do it.

**REALITY:** Extending the AMPS sunset date is about ensuring the highest degree of public safety.

**REALITY:** Regardless of whether the AMPS deadline is extended, it is estimated that the alarm industry and its customers will have to spend more than 750 million dollars for the benefit of cellular carriers.

**REALITY:** The alarm industry has proposed several compromise solutions that would accommodate the cellular carriers and help alleviate public safety concerns. Two major cellular operators have refused to consider any compromise solutions.